IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7200 of 1998

For Approval and Signature:

HON'BLE MR.JUSTICE RAVI R.TRIPATHI

==========

1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

VIRENDRASINH KALUBHA ZALA

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 7200 of 1998

MRS DT SHAH for Petitioner No. 1

MR.M.S. RAO, ASSISTANT GOVERNMENT PLEADER for Respondent No. 1-2-2

RULE SERVED for Respondent No. 3,5-6

MR HS MUNSHAW for Respondent No. 4,7

CORAM : HON'BLE MR.JUSTICE RAVI R.TRIPATHI

Date of decision: 19/03/2004

ORAL JUDGEMENT

The learned advocate Ms.D.T. Shah for the petitioner submitted that the question involved in the matter is similar to that of the one which was there in a group of matters being Special Civil Applications No.6436 of 1998, 7221 of 1997, 6070 of 1997, 7371 of 1997, 5484 of 1997 and 8323 of 1997. The learned advocate submitted that this Court (Coram: H.K. Rathod, J.) has decided this group by issuing certain directions by judgement and order dated 01.12.2003. She submitted that this matter is also required to be disposed of with similar directions with an added direction to consider the representation which the petitioner be permitted to make within 15 days from today.

2. For the reasons recorded by this Court in the judgement and order dated 01.12.2003 in Special Civil Application No.6436 of 1998 and allied matters, the authorities, i.e. respondents no.1 & 4, namely, the State of Gujarat, through Deputy Secretary, Health and Family Welfare Department, Gandhinagar and Surendranagar District Panchayat, Surendranagar through its District Development Officer are hereby directed to consider the case of the petitioner as set out in the representation in light of Government Resolution dated 24.12.1999 and other relevant Government Resolutions and pass a speaking, well reasoned order in accordance with law within two months from the date of the receipt of a copy of this judgement and representation and to communicate the same to the petitioner immediately thereafter. It will be open for the petitioner to approach this Court in case of difficulty.

3. The petition is disposed of accordingly. Rule is discharged. Interim relief, if any, is vacated. There shall be no orders as to costs. Direct service is permitted.

(Ravi R. Tripathi, J.)

karim